

AN ORDINANCE OF THE CITY OF FRISCO, TEXAS, AMENDING FRISCO'S CODE OF ORDINANCES, ARTICLE IV (FIRE CODE AND TECHNICAL REGULATIONS), SECTION 38-89 (AMENDMENTS TO FIRE CODE), SUBSECTION 1056.1.4 (PERMIT FEES) AND AMENDING ORDINANCE NO. 08-04-39, SECTION 4 (ADOPTING THE 2006 INTERNATIONAL FIRE CODE), SUBSECTION 1056.1.4 (PERMIT FEES); PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the City Council of the City of Frisco, Texas, (the "City Council") has investigated and determined that Frisco's Code of Ordinances, Article IV (Fire Code and Technical Regulations), Section 38-89 (Amendments to Fire Code), Subsection 1056.1.4 (Permit Fees), should be amended as set forth below; and

WHEREAS, the City Council has further investigated and determined that Ordinance No. 08-04-39, Section 4 (Adopting the 2006 International Fire Code), Subsection 1056.1.4 (Permit Fees), should be amended; and

WHEREAS, the City Council has further investigated and determined that it would be advantageous and beneficial to the citizens of the City of Frisco ("Frisco") to amend the permit fees set forth in the 2006 International Fire Code as set forth herein; and

WHEREAS, Frisco has complied with all notices and public hearings as required by law; and

WHEREAS, the City Council finds that it will be advantageous and beneficial and in the best interest of the citizens of Frisco to amend Frisco's Code of Ordinances, Article IV (Fire Code and Technical Regulations), Section 38-89 (Amendments to Fire Code), Subsection 1056.1.4 (Permit Fees) and Ordinance No. 08-04-39, Section 4 (Adopting the 2006 International Fire Code), Subsection 1056.1.4 (Permit Fees) as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS:

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendment to Frisco's Code of Ordinances, Article IV (Fire Code and Technical Regulations), Section 38-89 (Amendments to Fire Code), Subsection 1056.1.4 (Permit Fees) and Ordinance No. 08-04-39, Section 4 (Adopting the 2006 International Fire Code), Subsection 1056.1.4 (Permit Fees). Frisco's Code of Ordinances, Article IV (Fire Code and Technical Regulations), Section 38-89 (Amendments to Fire Code), Subsection 1056.1.4 (Permit

Fees) and Ordinance No. 08-04-39, Section 4 (Adopting the 2006 International Fire Code), Subsection 1056.1.4 (Permit Fees) are hereby amended as follows:

“Sec. 38-89. Amendments to fire code.

The 2006 Edition of the International Fire Code as published by the International Code Council is hereby amended as follows by way of additions, deletions and amendments:

Chapter 1: Administration of the 2006 International Fire Code is amended as follows:

Section 105 Permits of the 2006 International Fire Code is amended as follows:

1. Water-based fire suppression system: (Per Square Foot of Building)
 - \$0.03 per square foot (minimum \$50.00)
 - Separate Standpipe fee: \$150.00
2. Special fire suppression systems (Kitchen Hood/FM200) - \$75.00
3. Fire alarm systems:
 - \$50.00 per building for less than ten (10) devices
 - \$75.00 for eleven (11) to twenty-five (25) devices
 - \$150.00 for more than twenty-five (25) devices
 - \$200.00 for more than one hundred (100) devices
 - \$400.00 for more than two hundred (200) devices
 - \$400.00+\$2.00 for each additional device over four hundred (400) devices.
4. Mechanical Trench Burn: \$200.00 per day
5. Underground Fire Main (Only): \$50.00 per system
6. Single-Family Residential Automatic Fire Sprinkler System: (Per Square Foot of Building)
 - \$0.03 per square foot (minimum \$50.00)
7. Reinspection Fees (paid prior to scheduling the re-inspection):
 - \$50.00 first re-inspection
 - \$100.00 second re-inspection
 - \$150.00 third and subsequent re-inspections
8. Limited access security gates and perimeter fencing: \$100.00 per system.
9. Operational permits are required for the following:
 - Fireworks: \$50.00
 - Carnivals and fairs: \$50.00
 - Fire Hydrants and Valves per 105.6.16: \$50.00
10. Underground or Above Ground Storage Tank: \$100.00
11. Storage Tanks
 - \$100.00 to installation, repair damage to, abandonment, removal, place temporarily out of service, or close or substantial modification

of a storage facility when the amounts listed in IFC Table 105.6.20 are exceeded.

- Repair of Fuel Line (Pressure Test): \$100.00
12. Battery Systems
 - Installation of Battery Systems with Liquid capacity > 50gallons: \$100.00
 13. Compressed Gases
 - Construction of compressed gasses greater than exempt quantities: \$100.00
 14. Industrial Oven
 - Installation Permit: \$100.00
 15. Expedited Plan Review: \$100.00
 16. Drilling Fee (Oil and Natural Gas Wells)
 - New Oil or Natural Gas Well: \$5000.00
 - Operational Transfer Fee: \$500.00
 - Annual Fee: \$100.00
 - Appeal Fee: \$100.00
 17. Plan re-submittal fee: \$50.00

SECTION 3: Penalty Provision. Any person, firm, corporation or business entity violating this Ordinance, Frisco's Code of Ordinances or Ordinance No. 08-04-39, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine not to exceed the sum of TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Frisco from filing suit to enjoin the violation. Frisco retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4: Savings/Repealing Clause. Frisco's Code of Ordinances and Ordinance No. 08-04-39 shall remain in full force and effect, except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 5: Severability. Should any section, subsection, clause or phrase of this Ordinance be declared unconstitutional or invalid by any court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Frisco hereby declares that it would have passed this Ordinance, and each section, subsection, clauses and phrases be declared unconstitutional or invalid.

SECTION 6: Effective Date. This Ordinance shall become effective upon its passage and publication as required by the City Charter and by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, on this _____ day of _____, 2010.

MAHER MASO, Mayor

**ATTESTED TO AND
CORRECTLY RECORDED BY:**

APPROVED AS TO FORM:

JENNY PAGE, City Secretary

Abernathy, Roeder, Boyd & Joplin, P.C.
City Attorneys
REBECCA BREWER

Date(s) of Publication _____, in the *Frisco Enterprise*